

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
August 7, 2007

The City Council convened in Regular Session on Tuesday, August 7, 2007, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Bob Kneemiller, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Michael Klinghammer, Larry Muench, Ron Stivison, Richard Veit and Michael Weller. Absent: Laurie Feldman, and Jerry Reese. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46608

A motion was made by MICHAEL WELLER to excuse the absences of Vice President of the Council Jerry Reese and Councilmember Laurie Feldman. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by LARRY MUENCH to advance *Public Comment* on the agenda to allow the public to speak relative to the *Resolution Opposing the Establishment of the "Confluence National Heritage Corridor"* prior to consideration of the Resolution. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

RESOLUTIONS/AWARDS/PROCLAMATIONS

Recognition of the St. Charles Parks & Recreation Department's Aquatic Staff for Receiving an Excellence in Lifeguard Professionalism Rating from the 2007 Ellis and Associates Lifeguard Audit

The Honorable Mayor Patricia M. York read a Proclamation Commending the St. Charles Parks & Recreation Department's Aquatic Staff for Receipt of the Excellence in Lifeguard Professionalism Rating. Director of Parks & Recreation Maralee Britton and Aquatic Supervisor Rosie Rosenthal accepted the Proclamation on behalf of the lifeguard staff.

Recognition of the City of Hosting the Jefferson City to St. Charles Stage Five Finish of the Tour of Missouri, the Newest Cycling Event on the International Professional Cycling Circuit

The Honorable Mayor Patricia M. York requested that Director of Convention & Visitors Bureau David Rosenwasser provide information relative to the Tour of Missouri. Mr. Rosenwasser showed a video of the upcoming event; provided information relative to the hosting of the event by the City; and stated that the cyclists will be arriving in St. Charles at approximately 4:00 p.m. on Saturday, September 15, 2007.

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A Resolution to Re-Establish a Procedure to Disclose Potential Conflicts of Interests for Certain Municipal Officials *(Sponsor: Bob Kneemiller)*

Passed “Aye”: Ermeling, Klinghammer, Kneemiller, Muench, Stivison, Veit,
Weller, and Beckering
“Nay”: None
Absent: Feldman and Reese

Approved by the Honorable Mayor on August 15, 2007, and is known as **Resolution R07-14**

A Resolution of the City of St. Charles, Missouri, Encouraging the St. Charles County Council to Adopt an Ordinance Designating the Portion of the County that Includes Ameristar Casino St. Charles (“ACSC”) as a “Convention Trade Area” Thereby Enabling ACSC to Apply to the Missouri Gaming Commission to Extend the Hours in Which ACSC May Serve Liquor in Non-Gaming Areas *(Sponsors: Larry Muench and Laurie Feldman)*

Passed “Aye”: Klinghammer, Kneemiller, Muench, Stivison, Veit, Weller, Beckering,
 and Ermeling
 “Nay”: None
Absent: Feldman and Reese

Approved by the Honorable Mayor on August 8, 2007, and is known as **Resolution R07-12**

A Resolution of the City of St Charles, Missouri, Opposing the Establishment of the
 “Confluence National Heritage Corridor” in the States of Missouri and Illinois (*Sponsor:*
Richard Veit)

Janet Neustadt, Citizens to Protect the Confluence, 1001 Red School Road, West Alton, Missouri, spoke in favor of the Resolution.

Ray Machens, Citizens to Protect the Confluence, 3109 Kister Drive, spoke in favor of the Resolution.

Beth Machens, Citizens to Protect the Confluence, 14023 North State Highway 94, West Alton, Missouri, spoke in favor of the Resolution.

Richard L. Ash, Jr., 2954 Mayer, spoke in favor of the Resolution.

A roll call vote was taken on the Resolution, with the following results:

Passed “Aye”: Klinghammer, Kneemiller, Muench, Stivison, Veit, Weller, Beckering,
and Ermeling
“Nay”: None
Absent: Reese and Feldman

Approved by the Honorable Mayor on August 15, 2007, and is known as **Resolution R07-13**

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PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9412 Amending Section 134.20 of the Code of Ordinances to Prohibit the
Use of Certain Types of Fireworks by the General Public

Tom Dixon, Meramec Specialty Company, P. O. Box 305, Arnold, Missouri, spoke in opposition to Council Bill 9412.

PUBLIC COMMENT RELATIVE TO CITY ISSUES

Janet Renner, 1338 Forest Splendor Trail, Wildwood, Founder, Missourians Against Illegal Immigration, spoke in opposition to illegal immigration.

Martin Antoine, 1424 Dartmouth Drive, spoke in opposition to illegal immigration.

BILLS FOR FINAL PASSAGE

Bill 9387 (Held)

An Ordinance Finding That a Certain Blighted Area as Defined in Chapter 353 of the Revised Statutes of Missouri, as Amended, the Urban Redevelopment Corporations Law, Exists in the City of St. Charles and that the Redevelopment of Such Area is Necessary and in the Public Interest; Approving a Development Plan and a Redevelopment Project for the Blighted Area; Authorizing the City Council to Enter into a Development Agreement to Facilitate and Implement the Development Plan; and Approving a Grant of Limited Tax Abatement (*Sponsor: Jerry Reese*)

Council Bill 9387 was held by Sponsor Jerry Reese.

Bill 9401 (Held)

An Ordinance Approving the Record Plat for Springwell Village, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

Council Bill 9401 was held upon the request of Staff.

Bill 9403 (Supplemental RCA)

An Ordinance Accepting a Special Warranty Deed from Whittaker Builders, Inc. to Allow Access to and Maintenance of the Vacuum Station Located on Lot Q of The New Town at St. Charles Plat One (*Sponsor: Michael Klinghammer*)

Passed "Aye": Muench, Stivison, Veit, Weller, Beckering, Ermeling, Klinghammer, and Kneemiller

 "Nay": None

 Absent: Reese and Feldman

Approved by the Honorable Mayor on August 15, 2007, and is known as **Ordinance 07-209**

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Bill 9406 (Substitute Bill No. 1)

An Ordinance Authorizing an Engineering Services Contract with George Butler Associates for the Design of the Street Facility Floor Plan Analysis and Site Concept Plan in an Amount Not to Exceed \$65,350.00 (*Sponsor: Richard Veit*)

Discussion was held relative to the cost of the project and the provisions contained in the contract, including the timeline for completion of the Project, the use of local GBA representatives, and the Public Works Divisions included in the facility. Direction was given that Staff provide the Council with the following information: 1) preliminary base design from GBA when 50% complete; 2) notice to Council on dates for the Design Charettes; 3) cost breakdown for each of the five sections, after project is complete. A separate vote was taken on Council Bill 9406, with the following results:

Passed "Aye": Kneemiller, Muench, Stivison, Veit, Weller, Beckering, and Ermeling
 "Nay": Klinghammer
 Absent: Reese and Feldman

Approved by the Honorable Mayor on August 15, 2007, and is known as **Ordinance 07-210**

Bill 9409 (Held)

An Ordinance Deleting Section 124.04 of the Code of Ordinances and Amending Chapter 156 of the Code of Ordinances by Amending Sections 156.005 and Creating a New Section to be Known as Section 156.820 Pertaining to Clothing Drop Boxes (*Sponsor: Bob Kneemiller*)

Council Bill 9409 was held pending the Public Hearing scheduled for August 21, 2007.

Bill 9411

An Ordinance Authorizing the Filing of an Application with the U.S. Department of Justice for the Justice Assistance Grant Program (JAG) FY 2007; and to Sign all Necessary Documents to Accept and Receive Said Grant (*Sponsor: Ron Stivison*)

Passed "Aye": Muench, Stivison, Veit, Weller, Beckering, Ermeling, Klinghammer, and Kneemiller
 "Nay": None
 Absent: Reese and Feldman

Approved by the Honorable Mayor on August 15, 2007, and is known as **Ordinance 07-211**

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9412

An Ordinance Amending Section 134.20 of the Code of Ordinances to Prohibit the Use of Certain Types of Fireworks by the General Public (*Sponsor: Dave Beckering*)

Bill 9413

An Ordinance Amending Section 154.037(E) of the Code of Ordinances to Allow Permitted Parking Along Both Sides of a Portion of Wall Street (*Sponsor: Jerry Reese*)

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Bill 9414

An Ordinance Authorizing an Engineering Services Contract with Infrastructure Management Services, LLC for the Evaluation, Analysis, Inventorying and Updating of Existing Street Database Software in an Amount Not to Exceed \$79,420.00 (*Sponsor: Bob Kneemiller*)

Bill 9415

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of Ordinances by Establishing Parking Restrictions Along a Portion of Jefferson Street (*Sponsor: Richard Veit*)

Bill 9416

An Ordinance Authorizing a Right of Way Encroachment License Agreement with Scott Robbins for the Construction and Maintenance of a Fence on a 25 Foot Permanent Easement Located at or near 12 Ashbourne Way (*Sponsor: Erv Ermeling*)

Bill 9417

An Ordinance Authorizing an Engineering Services Contract with SCI Engineering, Inc. for Observation, Inspection and Associated Services for the Reconstruction of Riverbluff Drive in an Amount Not to Exceed \$66,114.00 (*Sponsor: Larry Muench*)

Bill 9418

An Ordinance Authorizing Amendment No. 1 to the Contract with Sprint Solutions, Inc. for the Purchase of Additional Cellular Phone Service and Equipment for the Police Department in an Amount of \$16,200.00, for a Total Contract Amount Not to Exceed \$91,700.00 (*Sponsor: Bob Kneemiller*)

Bill 9419

An Ordinance Authorizing a Contract with Integra, Inc. for Construction Services for the Third Floor Restroom Remodel at City Hall in an Amount Not to Exceed \$36,998.00 (*Sponsor: Bob Kneemiller*)

Councilmember Michael Klinghammer voiced concern that very few contractors bid on the remodeling project; and stated that several contractors indicated that they did not bid because the insurance and bonding requirements of the City are excessive. A motion was made by BOB KNEEMILLER to request that Administration review the City's requirements for performance bonds, bid bonds, and insurance; and report back to the Council. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 9420

An Ordinance Authorizing a Contract with J.M. Marschuetz Construction Company for the 2007 Annual Concrete Repair/Replacement Project in an Amount Not to Exceed \$820,000.00 (*Sponsors: Bob Kneemiller and Jerry Reese*)

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Bill 9421

An Ordinance Amending Ordinance 05-246 to Increase the Funding Amount Authorized to Reimburse the Missouri Highways and Transportation Commission for Construction Improvements within the City Right-of-Way at the Pralle Lane and Route 94 Interchange in the Amount of \$72,800.76, for a Total Contract Amount Not to Exceed \$336,836.54 (*Sponsor: Laurie Feldman*)

Bill 9422

An Ordinance Authorizing a Contract with CBIZ Benefits & Insurance Services, Inc., to Provide Broker of Record and Employee Benefits Consulting Services in an Amount Not to Exceed \$70,000 a Year (*Sponsor: Bob Kneemiller*)

Bill 9423

An Ordinance Approving the Record Plat for East Lime Kiln Condominiums, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Bill 9424

An Ordinance Authorizing a Contract with Thoele, Inc. to Provide Diesel Fuel Services from September 1, 2007 Through August 31, 2008 for the City of St. Charles in an Amount Not to Exceed \$154,000.00 (*Sponsors: Bob Kneemiller and Jerry Reese*)

Bill 9425

An Ordinance Authorizing a Contract with Wright Express Financial Services Corporation to Provide Gasoline and Diesel Fuel Services for the City of St. Charles in an Annual Amount Not to Exceed \$459,900.00 (*Sponsors: Bob Kneemiller and Jerry Reese*)

Bill 9426

An Ordinance Fixing and Establishing the Rate and Levying the Taxes for the General Revenue Funds and for the Various Special Funds of and for the City of Saint Charles, Missouri, for the Year Two Thousand and Seven (*Sponsor: Bob Kneemiller*)

Councilmember Richard Veit requested that his name be added as a Sponsor.

Bill 9427

An Ordinance Authorizing a First Renewal Contract with Sprint Solutions, Inc. for Cellular Phone Service and Equipment for the City of St. Charles in an Annual Amount Not to Exceed \$79,200.00 (*Sponsors: Bob Kneemiller and Jerry Reese*)

CONSENT AGENDA

President of the Council Bob Kneemiller removed *Item 8.C.23. Special Business District Advisory Board Meeting of March 1, 2007* from the Consent Agenda. Councilmember Larry Muench removed *Item 8.D.1. Notice of Emergency Purchases* and *Item 8.D.3. Liquor License Application for Lauren Brannon d/b/a: The Poison Apple located at 1200 South Main Street*

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from the Consent Agenda. Councilmember Michael Klinghammer removed *Item 8.D.4. Liquor License Application for Nicholas Hamilton d/b/a: Lloyd & Harry's located at 208 North Main Street* from the Consent Agenda. A motion was made by LARRY MUENCH to receive and approve the balance of the consent agenda. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Stivison, Veit, Weller, Beckering, Ermeling, Klinghammer, Kneemiller, and Muench. "Nay": None. Absent: Reese and Feldman. Motion passed.

- A. Approval of Council Minutes
 - 1. Regular City Council Meeting of July 10, 2007
 - 2. Public Hearing of July 10, 2007
 - File #46609
 - 3. Regular City Council Meeting of July 17, 2007
 - 4. Special City Council Meeting of July 24, 2007

- B. Receipt and/or Approval of Council Committee Reports
 - 1. Council Work Session of December 12, 2006
 - File #46246
 - 2. Council Work Session of July 24, 2007 (5:30 p.m.)
 - File #46514
 - 3. Council Work Session of July 24, 2007 (7:30 p.m.)
 - File #46514

- C. Receipt of Reports from Boards, Commissions or Committees
 - 1. Landmarks Board Meeting of May 14, 2007
 - File #46544
 - 2. Landmarks Board Meeting of June 18, 2007
 - File #46544
 - 3. St. Charles Senior Citizens Advisory Commission Meeting of June 19, 2007
 - a. Motion to Invite Tim Busse from Whittaker Developers to Speak at the August 2007 Meeting
 - b. Motion to Invite Sue Schaefer from Show Me Aquatics to speak at the September Meeting
 - File #46531
 - 4. St. Charles Park & Recreation Board Work Session of November 1, 2006
 - File #46177
 - 5. St. Charles Park & Recreation Board Regular Meeting of March 21, 2007
 - File #46516
 - 6. St. Charles Park & Recreation Board Regular Meeting of April 18, 2007
 - File #46516
 - 7. St. Charles Park & Recreation Board Work Session of May 1, 2007
 - File #46516

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| File #46516 | 8. | St. Charles Park & Recreation Board Regular Meeting of May 16, 2007 |
| File #46516 | 9. | St. Charles Park & Recreation Board Work Session of June 6, 2007 |
| File #46516 | 10. | St. Charles Park & Recreation Board Regular Meeting of June 27, 2007 |
| File #46474 | 11. | Planning and Zoning Commission Meeting of June 25, 2007 |
| | 12. | Beautification Commission Meeting of September 6, 2006 |
| | a. | Motion to Support the Continued Effort of the Christmas Light/Decoration Contest |
| | b. | Motion to Send a Formal Letter to the Public Works Department Thanking them for their Effort in the Highway Clean Up Program |
| File #46176 | | |
| | 13. | Beautification Commission Meeting of October 4, 2006 |
| | a. | Motion to pay for the Signs for the Winners of the Lighting Contest in an Amount not to Exceed \$250 |
| | b. | Motion to Implement the Plantings at the Veteran's Memorial Next Year |
| File #46176 | | |
| | 14. | Beautification Commission Meeting of November 8, 2006 |
| | a. | Motion to Send a Letter of Support for the Landscaping Project at I-70 and First Capitol Drive |
| File #46176 | | |
| | 15. | Beautification Commission Meeting of December 6, 2006 |
| | a. | Motion to Use Streetscape Magazine in 2007 to Co-Sponsor the Christmas Lighting Contract |
| | b. | Motion to pay the Invoice for the Yard Signs in the Amount of \$190.56 |
| File #46176 | | |
| | 16. | Beautification Commission Meeting of January 10, 2007 |
| | a. | Motion to Approve the following invoices for payment: |
| | i. | Sandi Bohler – Refreshments for bus ride to judge lights for Christmas Decorating Contest - \$26.71 |
| | ii. | Serena Boschert – Ornaments for Christmas Decorating Contest - \$558.74 |
| | iii. | Master Signs – Additional sign for Christmas Decorating Contest - \$15.88 |
| File #46610 | | |
| | 17. | Beautification Commission Meeting of February 7, 2007 |
| | a. | Motion to Approve the Budget as Submitted by Staff |
| File #46610 | | |

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18. Beautification Commission Meeting of April 4, 2007
a. Motion to Elect Maurine Bouxsein as Chairperson
File #46610
19. Greater St. Charles Convention & Visitors Commission Meeting of June 28, 2007
a. Approval of the following Advertising/Public Relations Items:
i. Association News – August - \$3,590 (Grant)
ii. Midwest Traveler – Sept/Oct - \$5,465.50 (Grant)
iii. AAA Living – Sept/Oct - \$5,192.65 (Grant)
iv. Home & Away – Sept/Oct - \$2,531.30 (Grant)
v. 2007 Missouri Fall/Winter Insert - \$13,308 (Grant)
vi. Oprah Magazine Midwest Edition - \$9,927.91 (Grant)
vii. MSAE Funfest – Sponsorship of Beverage Station - \$350
viii. The PAST Foundation – Sponsorship - \$4,000

File #46558

20. Building Board of Appeals Meeting of April 11, 2007
File #46611
21. Traffic Commission Meeting of July 17, 2007
a. Motion to Recommend a No Parking Restriction 25 Feet Either Side of the Driveway for 533 Jefferson Street

File #46464

22. Beautification Commission Meeting of June 6, 2007
File #46610
23. Special Business District Advisory Board Meeting of March 1, 2007
a. Motion to Contribute \$5,000 to the CVB 2007 Visitor Guide for the Advertisement of Main Street
b. Motion to Approve all Funding for Budgeted Festivals as Presented to the Special Business District (Music on Main Street 2007, Fete De Glace 2007, Civil War 2007, and Christmas on North Main Street)

REMOVED FROM THE CONSENT AGENDA

- D. Receipt of Reports of the Director of Administration
1. Notice of Emergency Purchases
REMOVED FROM THE CONSENT AGENDA
2. Liquor License Application for Roy Clemens d/b/a: Thursday's located at 3434 Harry S. Truman Blvd.

File #46463

3. Liquor License Application for Lauren Brannon d/b/a: The Poison Apple located at 1200 South Main Street
REMOVED FROM THE CONSENT AGENDA

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4. Liquor License Application for Nicholas Hamilton d/b/a: Lloyd & Harry's located at 208 North Main Street
REMOVED FROM THE CONSENT AGENDA
5. Liquor License Application for Scott L. Westerman d/b/a: Glazer's Midwest St. Louis located at 3831 Mueller Road
File #46463
6. Liquor License Application for Rebecca Domecillo d/b/a: Midwest Music Pit, Inc. located at 1860 Scherer Parkway
File #46463
7. Authorization to Negotiate an Engineering Services Contract with Crawford, Bunte, Brammeier to Design the Fifth Street Corridor Phase 2 Improvements Project
File #46612
8. Street Status Report
File #46613
- E. Approval of Contracts and Easements from \$20,001 - \$50,000
1. Contract with Cingular Wireless for City-Wide Cell Phone Service and Equipment in the Amount of \$20,800
File #46614
- F. Preliminary Plats
None
- G. Miscellaneous
None.

ITEMS REMOVED FROM CONSENT AGENDA

Item 8.C.23. Special Business District Advisory Board Meeting of March 1, 2007
President of the Council Bob Kneemiller voiced concern that the Special Business District was considering using artificial greenery in the planters on top of the trash containers on North Main Street during the winter months. Councilmember Michael Klinghammer, Liaison to the Special Business District, stated that he would discuss the concern with the Members of the Special Business District. A motion was made by BOB KNEEMILLER to approve the Special Business District Advisory Board Meeting Minutes of March 1, 2007. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Stivison, Veit, Weller, Beckering, Ermeling, Klinghammer, Kneemiller, and Muench. "Nay": None. Absent: Feldman and Reese. Motion passed.
File #46473

Item 8.D.1. Notice of Emergency Purchases
Director of Public Works Debra Aylsworth responded to an inquiry of Councilmember Larry Muench that the Jefferson and Main Street intersection will be complete by August 16, 2007. A

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motion was made by BOB KNEEMILLER to receive the Notice of Emergency Purchases. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Veit, Weller, Beckering, Ermeling, Klinghammer, Kneemiller, Muench, and Stivison. "Nay": None. Absent: Feldman and Reese. Motion passed.
File #46438

Item 8.D.3. Liquor License Application for Lauren Brannon d/b/a: The Poison Apple
located at 1200 South Main Street

Councilmember Larry Muench requested that the liquor license application be held until the August 21, 2007, Regular Council Meeting, to give the businesses and residents in the area an opportunity to meet with the owners. Following discussion relative to the proposed opening of the business, a motion was made by LARRY MUENCH to hold the liquor license application until August 14, 2007. RICHARD VEIT seconded the motion. Discussion was held among the Mayor, Council, and the applicants relative to the liquor license and the proposed restaurant. A voice vote was taken, and the "Nays" prevailed. Motion failed.

A motion was made by DAVE BECKERING to approve the liquor license application for Lauren Brannon dba The Poison Apple located at 1200 South Main Street. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Weller, Beckering, Ermeling, Klinghammer, Stivison, and Veit. "Nay": Kneemiller and Muench. Absent: Feldman and Reese. Motion passed.
File #46463

Item 8.D.4. Liquor License Application for Nicholas Hamilton d/b/a: Lloyd & Harry's
located at 208 North Main Street

Interim Police Chief Dennis Corley responded to an inquiry of Councilmember Michael Klinghammer that there has been a number of police incidents at Lloyd & Harry's in the past three years. A motion was made by MICHAEL KLINGHAMMER to hold the liquor license application until August 14, 2007; however, if there is not a Special Council Meeting on August 14, 2007, the liquor license application will be placed on the Regular Council Meeting of August 21, 2007. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Brian Burch, addressed the Council, on behalf of the applicant, Nicholas Hamilton, relative to concerns voiced on past police issues at the establishment.

A motion was made by LARRY MUENCH to advance *Announcement of Quilts on Main Event* on the agenda. RICHARD VEIT seconded the motion. All voted in favor, motion passed.

Announcement of Quilts on Main Event

Councilmember Larry Muench announced that Quilts on Main will be held on Main Street on Saturday, September 8, 2007. Members of the Quilts on Main Event Committee gave a brief overview of the event.

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REPORT OF THE MAYOR

Appointments to Boards and Commissions

A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

2008 Fourth of July Celebration Committee: Reappointment of Chris Black, Vickie Borgmeyer, Gene Carroll, Pam Gevecker, Thom McCann, Linda Roche, Martin Rothermich, Mike Ryan and Ken Wright for one-year terms ending August 2008.

Planning and Zoning Commission: Appointment of Arthur R. (Ray) Morse to fill the unexpired term of Randall Perkinson ending July, 2008

Public Facilities Advisory Board: Reappointment of Gary Arthur for a three-year term ending August, 2010

MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer, Kneemiller, Muench, Stivison, Veit, Weller, Beckering, and Ermeling. "Nay": None. Absent: Feldman and Reese. Motion passed. File #46411

A motion was made by LARRY MUENCH to suspend Council Rule 10 to extend the Regular Council Meeting past 10:00 p.m. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

Announcement of the Fifth Missouri River Clean-Up in St. Charles on Saturday, August 11, 2007, from 9:00 a.m. to 3:00 p.m.

The Honorable Mayor Patricia M. York announced that the Fifth Missouri River Clean-Up in St. Charles will be held on Saturday, August 11, 2007, from 9:00 a.m. to 3:00 p.m.

Written and/or Verbal Messages from the Mayor

St. Charles Municipal Band

The Honorable Mayor Patricia M. York announced that the St. Charles Municipal Band performs every Thursday in Frontier Park at 8:00 p.m.; and that the public can vote on their favorite songs, which songs will then be played on the last night of the St. Charles Municipal Band Concerts, Thursday, August 30, 2007.

Governmental Relations Specialist David Gipson

The Honorable Mayor Patricia M. York announced that Governmental Relations Specialist David Gipson recently received his Masters Degree in Public Policy Administration.

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ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Response to Items Brought Forward Under Report of the Mayor

There were no responses to items brought forward under Report of the Mayor.

Monthly Report by Interim Police Chief Dennis Corley

The monthly report by Interim Police Chief Dennis Corley was referred to a future meeting due to the lateness of the hour.

Update on Elm Street Reconstruction Project

Councilmember Michael Klinghammer gave an update on the Elm Street Reconstruction Project. File #46614A

Written and/or Verbal Messages from the Councilmembers

Party in the Park

President of the Council Bob Kneemiller announced that Party in the Park will be held at Blanchette Park on Friday, August 10, 2007.

TABLED BILLS

Case No. CU-22-06 Starbucks (Tri Architects). The applicant proposes to install a 1,650 square foot Coffee Shop with drive-thru facilities on 0.65 acre in the C-3, Highway Business, zoning district. The property is located on the east side of Muegge Road just south of Mexico Road (Cave Springs Crossing Shopping Center). (Ward 6) (***Tabled at the June 19, 2007, Regular Council Meeting***)

There was no action taken on Case No. CU-22-06.

Bill 9386

An Ordinance Finding and Declaring that the Acquisition of Permanent Sanitary Sewer Utility Easement, Temporary Construction Easement or Other such Easements as are Necessary for Sanitary Sewer Purposes for the Hineman Woods Estates Subdivision Project is Necessary for Municipal Purposes, and Authorizing Purchase, Gift, or the Exercise of Eminent Domain to Acquire Said Easements (*Sponsor: Michael Klinghammer*) (***Tabled at the July 10, 2007, Regular Council Meeting***)

There was no action taken on Council Bill 9386.

APPROVAL OF CLOSED MINUTES

A motion was made by MICHAEL KLINGHAMMER to approve the following Closed Minutes:

- A. Regular Council Meeting of June 19, 2007, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)

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- B. Regular Council Meeting of July 10, 2007, relative to legal actions, causes of action, or litigation (RSMo 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)

DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Ermeling, Klinghammer, Kneemiller, Muench, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: Feldman and Reese. Motion passed.

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to legal actions, causes of action, or litigation (RSMo 610.021.1), leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12) and with the following results: "Aye": Klinghammer, Kneemiller, Muench, Stivison, Veit, Weller, Beckering, and Ermeling. "Nay": None. Absent: Feldman and Reese. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 10:00 p.m.

September 13, 2007
Date Approved

Marilyn L. McCas
City Clerk

Bob Kneemiller
Bob Kneemiller, Presiding Officer